



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

NOV 20 2000

Exemption No. 3946F  
Regulatory Docket No. 23495

Charles H. Dove, Colonel  
Department of the Army  
U.S. Army Aeronautical Services Agency  
9325 Gunston Road, Suite N319  
Fort Belvoir, VA 22060-5582

Dear Colonel Dove:

This is in response to your July 31, 2000, letter petitioning the Federal Aviation Administration (FAA) on behalf of Department of the Army (Army), for an extension of Exemption No. 3946, as amended. That exemption from § 91.209(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) permits the Army to conduct certain military training operations at night without lighted aircraft position lights. Please note that Amendment No. 91-247, which became effective on March 11, 1996 (61 FR 5151, February 9, 1996), revised and redesignated the paragraphs of §91.209. Therefore, the FAA has determined that the Department of the Army requires relief from §91.209(a)(1) and (2) instead of §91.209 (a) and (b).

In your petition, you indicate that the conditions and reasons regarding public interest and safety, presented in the original petition upon which the exemption was granted, remain unchanged.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested extension of the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the Army.

The FAA has determined that the justification for the issuance of Exemption No. 3946, as amended, remains valid with respect to this exemption.

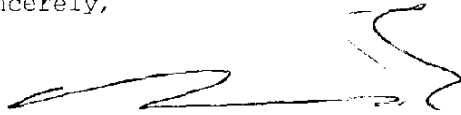
In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Exemption No. 3946, as amended, is hereby further amended by extending its January 31, 2001, termination date to January 31, 2003, unless sooner superseded or rescinded.

AF3-00-631-E

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All other conditions and limitations of Exemption No. 3946, as amended, remain the same. This letter shall be attached to, and is a part of, Exemption No. 3946.

Sincerely,

A handwritten signature in dark ink, appearing to be 'L. Nicholas Lacey', with a stylized, flowing script.

L. Nicholas Lacey  
Director, Flight Standards Service